


JUN 11 2013

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

WILLIAM GREGORY BATTEN,

Petitioner,

v.

HAROLD W. CLARKE,

Respondent.

Civil Action No. 7:12cv00547

§ 2254 FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the memorandum opinion entered on this date, it is hereby **ORDERED** and **ADJUDGED** that respondent's motion to dismiss is **GRANTED**, Batten's 28 U.S.C. § 2254 petition is **DISMISSED**, and this action is **STRICKEN** from the docket of the court. Further, finding that the petitioner has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner.

ENTER: June 11, 2013.


UNITED STATES DISTRICT JUDGE